EXHIBIT Z

HIGHLY CONFIDENTIAL

TP One

Transcript of **Jan K. Brueckner, Ph.D.**

Thursday, August 25, 2022

U.S. v. American Airlines and JetBlue Airways

Reference Number: 119167

1   Q.   And you conclude on page 21 of your report

2   that the 17.4 percent false positives rate has a

3   "relatively low value," right?

4   A.   Yeah.

5   Q.   Is the conclusion that the placebo test's

6   results of 17.4 percent false positives was a

7   relatively low value supported by any statistical

8   analysis?

9   A.   Well, it comes out of statistical

10   analysis.

11   Q.   My question is what led you to conclude

12   that the 17.4 percent false positives rate was

13   relatively low?

14   A.   I mean, if you were computing the power of

15   the test and that -- in a proper fashion -- this is

16   again not a power calculation. If you were computing

17   the power of the test in a particular instance using

18   correct methods and you found the power was 17.4

19   percent, you would say, well, that's pretty good.

20   I'm not going to be doing the wrong thing all that

21   often.

22   Q.   You'll be doing the wrong thing 17.4

1　percent of the time?

2　　　　A.　　Of the time, yeah.　And so that's sort of

3　acceptable.　Again, this is not a power calculation.

4　　　　Q.　　What makes you say that doing the wrong

5　thing 17.4 percent of the time is acceptable?

6　　　　A.　　Well, if it were 80 percent, you'd be

7　really worried because then you'd be doing the wrong

8　thing most of the time.　And so this number is low.

9　It's toward the bottom.　It's not 5 percent as it is

10　by construction in the significance test.　It's not 5

11　percent, but it's closer to 5 percent than it is to

12　80 percent.

13　　　　Q.　　Is there a threshold of what percent of

14　false positives a test would have to find for that

15　false positives rate to be unacceptable?

16　　　　A.　　You know, I'm not familiar that much with

17　that type of issue, in other words, what's an

18　acceptable power.　I don't think that there is such a

19　number out there.　It's just that lower is better.

20　　　　Q.　　And you looked at the 17.4 percent false

21　positives rate that you got from running the placebo

22　test for the 2014 report and you decided that that